

## **BOARD OF SELECTMEN**

### **Minutes of**

October 29, 2007

Chairman McArdle called the meeting to order at 7:30PM. Board members present in addition to Chairman McArdle were Richard Gandt, Steve Clark, Boyd Jackson, and Dick Carlson. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich, were in attendance. Other persons present were Jane Schraffa of the Topsfield Cable. Also present were Brendan Lewis of the Tri-Town Transcript, Faye Raynard of the Village Reporter, Joe Geller, Chairman of Rail Trail Committee, Cathy & Bob Morgan, members of the Coalition for Neighborhood Information, previously named Coalition for Children's Safety & Serious Concerns Regarding the Proposed Topsfield Rail Trail Project and other citizens listed on the attendance sheet.

**Announcements:** Chairman McArdle announced:

**VNA will provide flu shots at the Emerson Center** on November 8, 2007 for 1-4PM.

**Street Signs for Scholarship** bidding for the next set of street signs is now available.

The proceeds will benefit the Topsfield Scholarship Fund. Bidding will end on November 28, 2007 at 4PM and be announced at the December 3<sup>rd</sup> Board of Selectmen's Meeting.

**Selectmen Minutes:** Selectman Gandt made the motion to accept the minutes of October 22, 2007 as written; seconded by Selectman Jackson; so voted 5-0. Selectman Gandt made the motion to accept the minutes of the Executive Session of October 22, 2007 as amended and to be held until all matters are resolved; seconded by Selectman Clark; so voted 5-0.

### **OLD BUSINESS:**

**Design Selection Procedure:** Selectman Clark made a motion to adopt the amended version of the October 22, 2007 Design Selection Procedure as distributed, seconded by Selectman Carlson; so voted 5-0.

**COA Formula Grant:** Selectman Gandt made a motion to have the Chairman sign an amended version of our COA Formula grant contract to recognize our revised grant amount for FY08. This 5 year grant contract expires in 2009; seconded by Selectman Clark; so voted 5-0.

**7:45 PM:** Chairman McArdle invited Mr. Morgan to address the Board. Chairman McArdle stated that this was to be a presentation in response to the Rail Trail Committee's presentation, not a debate, and that the Board would be able to ask clarifying questions to gain a better understanding of the Coalition's issues. Bob Morgan, acting as a spokesman for the Coalition for Neighborhood Information (CNI), previously named Coalition for Children's Safety & Serious Concerns Regarding the Proposed Topsfield Rail Trail Project, presented to the Board a document titled, "Response to The Selectmen Concerning Rail Trail" (attached). Mr. Morgan read the document which discusses issues of concern that the CNI has with the Rail Trail project as it relates to the Town of Topsfield. When Mr. Morgan raised an issue as to funding the Rail Trail, Chairman McArdle stated that the Project has not spent any Town funds and is not expected to. Selectman Gandt made it clear that the presentation was to reflect this information. Mr. Morgan was unaware of this funding fact and stated that he would attempt to honor the request. The key areas of concern identified by the Coalition are as follows:

- Where are the plans? What does it cost?
- Need for the Rail Trail
- What is the Topsfield Linear Common?
- Process and Committee Membership
  - The Rail Trail Committee Must be Reformed
  - The Selectmen Must Have Several Open Meetings on the Rail Trail
  - Topsfield Needs a Town Meeting Vote
- Bicyclist Safety
- Citizen Safety
- Safety Around Tot Lot and Proctor School
- Maintenance of the Trail
- Problems with Hazardous Materials
- Effects on Wildlife
- What is the Effect of the Rail Trail on Property Values?
- Property Rights
- Surveys Taken by NCI
- Conclusion

Mr. Morgan stated that Cathy Morgan had several crime reports to read from towns that presently have a Rail Trail. Towns included: Middleboro, Lexington, Berkshires, Sudbury, West Boylston, Hudson, and Marblehead.

Selectman Carlson asked why the Coalition is asking for Town Meeting Vote when the Board had suggested Town Ballot. Mr. Morgan stated the Town Meeting would have more Town citizen discussion; Selectman Clark noted that it is difficult to get through the Town's financial business within the two nights allocated presently for Town Meeting. Selectman Carlson mentioned that a televised public debate would be appropriate for allowing both sides to express opinions on the subject. It was suggested that the Town Moderator, John Kinhan may be willing to facilitate such an event or that the League of Women Voters might sponsor such an event. Joe Geller, Chairman of Rails Trails Committee responded to the question of Town funds being utilized, and confirmed that no Town funds have been utilized on the project to date.

### **NEW BUSINESS:**

Veteran's Day Parade: Chairman McArdle received a letter from Matthew Boyle, Veterans Agent, inviting the Board of Selectmen to march in the Veteran's Day parade to be held on Saturday, November 3, 2007.

Cultural Council Funds: Selectman Jackson made a motion to accept the FY08 Local Cultural Council Funds from the Massachusetts State Cultural Council in the amount of \$4,000 with the Chairman to sign, seconded by Selectman Clark; so voted 5-0.

Flexible Spending Contract: Selectman Clark made a motion to approve a contract with Cafeteria Plan Advisors, Inc of Braintree MA in the amount of \$250.00 per year for services in connection with the administration of the Town's Section 125 Benefit Plan with the Chairman to sign, seconded by Selectman Gandt; so voted 5-0.

### **Town Administrator's Report:**

Please see attached report.

### **Correspondence & Reports**

Correspondence

Praise for Rail Trail: Letter received from Elizabeth and Paul Dierze of 29 Colrain Rd expressing support for the Project and the efforts of the Committee.

Appeal of Grant Funds from MA Building Authority: Audit of Proctor School project was received.

Willowdale Estate Formal Invitation from DCR: Ellen FitzPatrick sent invitation and a request that a Selectman be available to provide a “Welcome” at the event. Selectman Gandt has agreed to attend.

Concerns of the Rail Trail Project: A letter was distributed at the meeting from Toni Chandler of 8 Parsonage Lane stating concerns of the project.

Reports

Board of Assessors submitted Minutes of September 29, 2007

Conservation Commission submitted a CoC for 11 South Main Street

Open Space submitted Minutes of July 9, 2007

Regional Operations Center submitted Minutes of September 20, 2007

**Invitation:**

Beverly Hospital at Danvers: Invitation to ribbon cutting ceremony for the Grand Opening to be held on November 13, 2007 from 6-8PM at 480 Maple Street Danvers.

**Warrants:** The Selectmen signed and approved warrants in the amount of \$ **131,248.83** . The breakdown is as follows:

Warrant #FY08:	
035T	\$ 65,801.43
036	\$ 65,447.40

At 9:08 PM, Chairman entertained a motion to adjourn, seconded by Selectman Clark; so voted 5-0.

Respectfully submitted,

Donna Rich, Secretary  
Selectmen’s Office

*Approved as written at the November 19, 2007 Board of Selectmen’s meeting.*